

Application No.: 10/567,285

Case No: KOMOP0109US

PATENT

CERTIFICATE OF MAILING OR ELECTRONIC TRANSMISSION UNDER 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is
___ being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Commissioner for Patents address below.
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/Mark D. Saralino/
Mark D. Saralino

May 19, 2008
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kenichi MORIMOTO et al.

Application No.: 10/567,285

Filing Date: February 3, 2006

For: POWER SUPPLY DEVICE AND COMMUNICATION SYSTEM

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

**Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

PETITION UNDER 37 C.F.R. § 1.47(a)

Sir:

The signature of Kenichi Morimoto, co-inventor of the subject patent application, is missing from the Combined Declaration and Power of Attorney filed contemporaneously herewith. The submitted Combined Declaration and Power of

Attorney is signed by all the other joint inventors. The Combined Declaration and Power of Attorney contains an unsigned signature block for Mr. Morimoto. Applicants request that the submitted Combined Declaration and Power of Attorney be treated as having been signed by all the available and cooperating joint inventors on behalf of Mr. Morimoto. (See MPEP § 409.03(a) and (d).)

In support of this Petition, a declaration of Masaru Nishijima is submitted herewith. Mr. Nishijima is the Manager of the Patent Department of Sharp Kabushiki Kaisha (Sharp), Applicants' employer during the relevant time period and the claimed assignee of the present application. By virtue of his position, Mr. Nishijima has knowledge of the facts being relied upon in this Petition. As the following statements and attached documents will show, Kenichi Morimoto has refused to sign the instant Combined Declaration and Power of Attorney.

Specifically, on January 25, 2006, Sharp representatives sent a letter to Mr. Morimoto requesting that he sign a Declaration and Assignment, and enclosing a copy of the corresponding international application. Also in January 2006, Mr. Morimoto replied by letter stating: "I would like you to provide me an English translation of the Declaration and Assignment, and to explain about them and the merit of the assignment. I will sign them after I'm convinced."

On February 9, 2006, Sharp representatives sent a letter to Mr. Morimoto requesting again that he sign the Declaration and Assignment. Enclosed were the Declaration and Assignment to be signed, as well as English translations of them and the corresponding international application as requested by Mr. Morimoto. The letter further explained about the Declaration and Assignment, and the merit of the Assignment, also as requested by Mr. Morimoto. Mr. Morimoto did not respond.

On January 23, 2007, Sharp representatives again sent a letter to Mr. Morimoto requesting that he sign the Declaration and Assignment. As before, enclosed were the Declaration and Assignment to be signed, as well as English translations of them and the corresponding international application. Mr. Morimoto once more did not respond.

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Copies of the referenced correspondence to Mr. Morimoto are being submitted herewith as evidence of Mr. Morimoto's refusal to sign a declaration. To date, Mr. Morimoto has not signed the Combined Declaration and Power of Attorney submitted herewith (nor any comparable declaration). His last known address is:

1-8-16 Sakuragaoka, Seika-cho, Soraku-gun

Kyoto 619-0200 JAPAN.

Accordingly, petition is hereby made pursuant to 37 C.F.R. § 1.47(a) to accept and prosecute the present application as made by the signing co-inventors on behalf of Kenichi Morimoto.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

/Mark D. Saralino/

Mark D. Saralino
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DATE: May 19, 2008

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